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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,636	11/14/2005	Yong Chang	678-2026	1524
66547 7590 11/19/2009 THE FARRELL LAW FIRM, LLP 290 Broadhollow Road Suite 210E Melville, NY 11747				
EXAMINER				
HAN, CLEMENCE S				
ART UNIT		PAPER NUMBER		
2464				
MAIL DATE		DELIVERY MODE		
11/19/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,636

Applicant(s)

CHANG, YONG

Examiner

CLEMENCE HAN

Art Unit

2464

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-15 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 19-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
- _____ Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- _____ Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gao (US Pub. 2003/0076793) in view of Sawyer et al. (US 6,539,004).

Regarding claim 1 and 16, Gao teaches a method for synchronizing transmission/reception time for delay in transmission/reception of a data frame of a digital voice signal in a mobile communication system which includes a media gateway 26 and a base station controller 22, the media gateway including a trans-coder 32 for converting an analog voice signal and a coded digital voice signal into each other, the base station controller transmitting/receiving the digital voice signal to/from the media gateway (Figure 2), the method comprising: transmitting reverse data frames of the digital voice signal, which is received from a mobile station 12, from the base station controller 22 to the media gateway 26 [0019]; transmitting forward data frames from the media gateway 26 to the base station controller 22 when the media gateway receives forward data frames of voice signals from a called party [0019]. Gao, however, does not teach explicitly transmitting information of a forward delay from the base station

controller to the media gateway and transmitting information of a reverse delay from the media gateway to the base station controller and receiving the information of the forward delay and the reverse delay and performing a control for the synchronization in the base station controller and the media gateway, respectively. Sawyer teaches transmitting and receiving information of delay (PATE in Figure 3 and also see Column 3 Line 29-30) and performing a control for the synchronization (Column 3 Line 30-31). It would have been obvious to one skilled in the art to modify Gao to transmit information of delay and perform a control for the synchronization as taught by Sawyer in order to transmit the packets at the correct real time (Abstract).

Regarding claim 2, 3, 17 and 18, Sawyer teaches delay (PATE in Figure 3) is set as a difference value which is calculated using an expected arrival time and an actual arrival time of the data frames of the digital voice signal received (Column 3 Line 25-29).

Allowable Subject Matter

3. Claim 4-15 are allowed.
4. Claim 19-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments filed 07/13/2009 have been fully considered but they are not persuasive. In response to page 10-11, the applicant argues that Sawyer does not teach transmitting information of a reverse delay from the media gateway to the base

station controller when the media gateway receives forward data frames of voice signals from a called party. Gao teaches transmitting and receiving data frames [0019]. Sawyer teaches transmitting and receiving delay information (PATE (Packet Arrival Time Error) in Column 3 Line 29-30) and performing a control for the synchronization (“adjust offset by the PATE adjustment” in Column 3 Line 30-31). In response to page 11-12, the applicant argues that Gao does not teach simultaneously sending delay information with data frame. The feature, “simultaneously sending delay information with data frame” is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENCE HAN whose telephone number is (571)272-3158. The examiner can normally be reached on Monday-Friday 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art Unit 2464

/C. H./
Examiner, Art Unit 2464